

Remarks

The paragraphs of the Office action are responded to through the corresponding numbered paragraphs below. The applicant has addressed each issue in turn and, for clarity, has provided a heading for each issue.

*Claim Rejections - 35 USC § 103*

1. The Examiner indicated that "this application is now being examined by a different Patent Examiner; Marie Ubiles." The applicant appreciates Examiner Ubiles work on this case and believes that no further response to this paragraph is required.
2. The Examiner indicated that the "text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action." The applicant appreciates the reference and believes that no further response to this paragraph is required.
3. The Examiner rejected claims 1-8 "under 35 U.S.C 103(a) as being unpatentable over Moore." The applicant has previously requested that claim 1 (on which claims 2-8 depend), be amended to more clearly point out in the applicant's invention the determination are made using a systematic pre-scripted interrogation of callers thereby eliminating the variability due to the different skills of the individual dispatchers and that the criticality value is determined based on responses to preprogrammed inquiries. The criticality value is generated by the system based on specific scripted inquiries and responses. This system specifically addresses the problem created by the Moore approach to the health care, wherein "The health care coordinator, upon receipt of the patient's signal, having reviewed the patient's medical profile, and by knowing the location of health care personnel on a given floor, or in the proximity with the calling patient, can accurately and precisely *make an informed decision* on the degree of medical response required and the appropriate responding personnel and communicate that decision to the desired personnel." Moore column 3, lines 59-66, emphasis added. The applicant's invention as presently claimed specifically removes this decision process from the dispatcher, "eliminating variability due to the different skills of the individual dispatchers." Since, applicant's invention employs a preprogrammed systematic process for making the determinations of chief complaint and of the criticality value rather than the *informed decision process* of the Moore reference. The applicant respectfully believes that not only does Moore not disclose or suggest the process claimed by the applicant, but Moore actually teaches away from the applicant's claimed invention.

To more clearly point out that applicant's invention addresses the problems of emergency medical dispatch personnel communicating to *callers* requesting field emergency medical care, rather than the situation of "When an in-hospital patient

App. S/N: 09/685,697  
Filing Date: 10/09/2000  
Amdt Date: 07/05/2005

AMENDMENT AND RESPONSE  
TO NON-FINAL OFFICE ACTION

Exr Marie C. Ubiles  
Group Art Unit: 2642  
Confirm. No.: 3948

requires medical attention" (Moore column 9, lines 58-59), the applicant has requested that claim 1 be amended to more clearly point out that the post dispatch instructions are provided to the caller prior to the arrival of the responders (see application page 10, rather than, as described in Moore, "after the medical staff has arrived at the patient location, they (the medical staff) may 'if necessary, effect further communication with the health care coordinator through the telephone handset 19 or the intercom 23 in the patient's room." See Moore, column 10, lines 15-17.

The applicant believes that claim 1 as currently pending, and therefore claims 2-8 because they depend on claim 1 and incorporate the limitations thereof, is not described or suggested by the cited, or any other known, reference. The applicant believes that this requested amendment is fully responsive to the rejection of this paragraph. The applicant respectfully requests reconsideration and withdrawal of this rejection.

*Response to Arguments*

4. The Examiner indicated that "Applicants' arguments have been addressed in the above rejection." The applicant appreciates the Examiner's consideration of the prior response and believes that no specific response to this paragraph is required.
5. The Examiner has provided information concerning communication and/or inquiries concerning this case. Applicant appreciates the Examiner's willingness to communicate and assist on this case and believes no response to this paragraph is necessary.

The applicant has requested that claim 1 be amended as described. Applicant believes that all issues and points of the Examiner's Office action have been addressed. Applicant believes that claims 1-8 are patentable over all known prior art. Applicant respectfully requests reconsideration and allowance of this application.

Respectfully submitted this 5th day of July, 2005.



Lloyd W. Sadler, Reg. No. 40,154  
SNELL & WILMER, LLP  
15 West South Temple, Suite 1200  
Salt Lake City, Utah 84101  
Telephone: (801) 257-1960  
Facsimile: (801) 257-1800